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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX	) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND	)
PRODUCT LIABILITY LITIGATION	)
_____	)
	)
BARLOW, et al.,	) CASE NO. CGC-06-449081
	) MDL Case No. 06-1964 CRB
	)
Plaintiffs,	) STIPULATION AND ORDER OF
	) DISMISSAL WITH PREJUDICE
vs.	) AS TO PLAINTIFF JULIAN COMBS
	)
PFIZER, INC., et al.	)
	)
Defendants.	)
_____	)

COME NOW, Plaintiff JULIAN COMBS and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF JULIAN COMBS**

1 hereby stipulate to the dismissal of Plaintiff JULIAN COMBS from this action, with prejudice,  
2 each side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5  
6 Dated: September 24, 2009

**KABATECK BROWN KELLNER LLP**

7  
8 By:   
9 Brian S. Kabateck, Esq.  
10 Attorneys for Plaintiff JULIAN COMBS

11 Dated: October 27, 2009

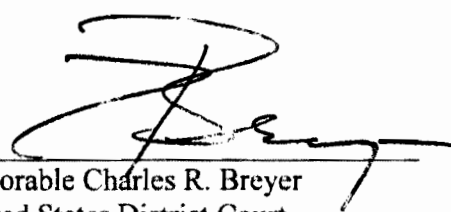
**DLA PIPER LLP**

12  
13 By: /S/  
14 Matthew A. Holian  
15 Attorney for Defendants PFIZER, INC., et al.

16  
17 **ORDER**

18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20  
21 Dated: OCT 29 2009

22   
23 Honorable Charles R. Breyer  
24 United States District Court